

October 17, 2003

VIA EMAIL AND EXPRESS MAIL

California Energy Commission  
Docket Unit  
Docket No. 03-CRS-01  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512

**RE: SDG&E's Comments on Proposed Cost Responsibility Surcharge Regulations**

Dear Commissioners:

SDG&E hereby submits comments on the Proposed Cost Responsibility Surcharge Regulations. We appreciate efforts by the commission to develop the recommendations of the various stakeholders to establish regulations for exemptions granted in the D.03-04-030, the Departing Load Cost Responsibility Surcharge Decision issued by the California Public Utilities Commission (CPUC). Overall, SDG&E supports the Regulations as drafted, with a few specific recommendations for clarification.

1. SDG&E request that language be included which generally states the following: "These terms are expressly intended to implement the provisions of CPUC D.03-04-030, as directed by that Decision, and that any ambiguity or omission is not an attempt to eliminate or circumvent the intent and authority established by that Decision.

2. **1395.1 (Modifications are in bold and underlined):**

(g) "Cost Responsibility Surcharge" or "CRS" means energy cost obligations consistent with CPUC Decision 03-04-030 or subsequent decision(s) by the CPUC. CRS-related costs are recoverable from eligible customers on a cents-per-kilowatt hour basis and may include any or all of the following components,..."

(k) "Customer" means a present or past electric utility customer that has or will receive electric power from ~~departing load~~ Customer Generation, and is seeking a CRS exemption or placement in the queue to receive a future CRS exemption.

(l) "Customer Generation" or "~~Departing Load~~" means any type of generation that (1) is dedicated wholly or in part to serve a specific customer's load; (2) relies on non-utility ~~or dedicated utility distribution~~ **[note: dedicated utility wires are still part of the utilities' grid]** wires rather than the utility grid, to serve the customer, ...."

(nn) "Departing Load CRS Information Form" or "Form" means the document required to be submitted by ~~containing pertinent information from~~ the Customer containing pertinent information necessary for the commission to determine whether or not a Customer is eligible for a CRS Exemption.

3. **1395.2 (modifications are in bold and underlined):**

(a)(2) The Form shall include, but not be limited to, the following information:

(A) Customer name;

(B) **Customer** contact information, such as phone number and email address;

(C) Address (including street number, street name, city, and zip code);

(D) Capacity of customer generation unit;

(E) Type of technology;

(F) Anticipated interconnection date; and

(G) Proposed project Development Plan and any anticipated activities that may delay the project beyond 12 months from submission of the Customer's application.

(H) **List of requested CRS Exemptions**

4. **1395.4 (modifications are in bold and underlined):**

(b) The commission shall maintain the Queue in electronic format with aggregated totals posted on the commission's Web site. They will list general information about each request including the size **in kW** of the exemption, technology type, and general location. Identification and specific location of customers applying for exemption shall be deemed confidential.

The Energy Commission is responsible for ensuring that the CRS exemption process is, not only efficient, but in compliance with CPUC decisions. The comments herein are designed to facilitate that goal.

Thank you for your consideration.

Sincerely,

*Bernie Orazco*